

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Irrigation Department – Allegation of corruption against Sri Racha Narsaiah, Assistant Engineer, Office of the Executive Engineer, Medium and Minor Irrigation Department, Kamareddy Division, Nizamabad District – Trapped on 28-02-2008 – Sanction of Prosecution – Orders – Issued.

IRRIGATION & C.A.D. (IW:SERVICES-VI(1) DEPARTMENT

G.O.Ms.No. 207.

Dated 06-12-2008.

ORDER:

Whereas, Sri Racha Narsaiah, worked as an Assistant Engineer, Office of the Executive Engineer, Medium and Minor Irrigation Department, Kamareddy Division, Nizamabad District from 14-12-2005 to 28-02-2008 and by virtue of the post held by him, he falls under the category of Public Servant with the meaning of clause (c) of section 2 of the Prevention of Corruption Act, 1988 (Central Act 49 of 1988);

2. And whereas, Sri N.Ravindra Reddy, S/o.Ramana Reddy, aged:49 years, Occ:Civil Contractor, R/o.H.No.16-3-228, Ramalingapuram, Nellore, Andhra Pradesh stated that in the year 1987-88, the Irrigation Department called for a tender to execute Kaulasanala Project work and in response to the same Sri N.Ravindra Reddy filed tender for the above said work and was allotted the said work vide agreement No.11-6/88-89. Sri N.Ravinder Reddy was handed over the site of the Kaulasanala Project chain age 34-20 to 38-00 worth Rs.24,76,670.20p. After completion of the said work partly worth Rs.6,39,000/- and when the work was in progress on 26-06-1992, the Irrigation Department asked Sri N.Ravindra Reddy to stop the said work on technical grounds. Subsequently Sri N.Ravindra Reddy was paid the outstanding value of the executed work i.e., Rs.6,39,000/- in a phased manner, and an amount of Rs.3,20,000/- was pending with the department towards EMD, FSD 10% and Bank guarantees. For the above pending amount Sri N.Ravindra Reddy represented to the Irrigation Department about 10 to 12 times in the last 12 years, but in vain. Finally on 06-06-2007 Sri N.Ravindra Reddy sent an application to the Hon'ble Chief Minister, Andhra Pradesh for his pending bill. On that the Chief Minister endorsed to the Principal Secretary concerned, by marking the copy of the said application to Chief Engineer, Irrigation Department, Hyderabad, who subsequently called Sri N.Ravindra Reddy and told him to meet the Superintending Engineer, Nizamabad who in-turn asked Sri N.Ravindra Reddy to meet the Executive Engineer, Kamareddy. On the next day when Sri N.Ravindra Reddy met the Executive Engineer, Kamareddy at his office, he told Sri N.Ravindra Reddy that the concerned file was pending with Sri R.Narsaiah, Asst. Engineer, Kamareddy and asked him to meet Sri R.Narsaiah. When Sri N.Ravindra Reddy met Sri R.Narsaiah, Asst. Engineer, he requested him to meet after one week. Thereafter Sri N.Ravindra Reddy was meeting the Assistant Engineer, Sri R.Narsaiah since the last 5 months prior to the complaint. Whenever he met the said Asst. Engineer, Sri R.Narsaiah he was postponing the work of Sri N.Ravindra Reddy on one or other pretext and made him to move around the said Asst. Engineer Sri R.Narsaiah. Fifteen (15) days prior to the complaint, when Sri N.Ravindra Reddy met Sri R.Narsaiah, Asst. Engineer at Nizamabad bus stand, he told the complainant to pay Rs.10,000/- as bribe and then only his work will be done. Subsequently on 24-02-2008 when Sri N.Ravindra Reddy met Sri R.Narsaiah, he enquired whether he brought the bribe of Rs.10,000/- or not. When Sri N.Ravindra Reddy replied negatively, Sri R.Narsaiah informed him that his work will be done only on payment of Rs.10,000/- as bribe within 2 or 3 days.

(P.T.O.)

Then Sri N.Ravindra Reddy came to conclusion that without payment of bribe of Rs.10,000/-, Sri R.Narsaiah, Assistant Engineer will not attend to his work and as he was not willing to pay the said bribe of Rs.10,000/- to Sri R.Narsaiah to get his work done, he approached District Superintendent of Police, Anti Corruption Bureau, Nizamabad to take necessary action against Sri R.Narsaiah, Asst. Engineer, Irrigation Department, Kamareddy. The District Superintendent of Police, Anti Corruption Bureau, Nizamabad Range after due verification of the complaint, registered the complaint of Sri N.Ravindra Reddy as a case in Cr.No.4/ACB-NSB/2008 on 28-02-2008 at 7.00 A.M. under section 7 of the Prevention of Corruption Act, 1988 and took up investigation;

3. And whereas, Sri Racha Narsaiah, Assistant Engineer, Office of the Executive Engineer, Medium and Minor Irrigation Department, Kamareddy Division, Nizamabad District demanded and accepted a bribe of Rs.10,000/- from Sri N.Ravinder Reddy on 28-02-2008 at 10.20 A.M. at Satyam Tea Stall & Cool Drinks situated in the Telangana Non-Gazetted Officers Building, Opposite Nizamabd Municipal Corporation, Nizamabad Town as an illegal gratification other than legal remuneration and was trapped by the District Superintendent of Police, Anti Corruption Bureau, Nizamabad Range. On seeing the trap party the Accused Officer stood up from his plastic chair and dropped the tainted currency which was in his right hand. The sodium carbonate solution test conducted on both the hand fingers of Sri R.Narsaiah proved positive result and tainted currency of Rs.10,000/- was recovered from the floor at his instance in the presence of the mediators;

4. And whereas, the said acts of Sri Racha Narsaiah, Asst. Engineer, Office of the Executive Engineer, Medium and Minor Irrigation department, Kamareddy Division, Nizamabad District constitutes an offence punishable under section 7 & 13 (1) (d) read with 13 (2) of the Prevention of Corruption Act, 1988 (Central Act 49 of 1988);

5. And whereas, the Government of Andhra Pradesh, being the competent authority to remove, Sri Racha Narsaiah, Assistant Engineer, Office of the Executive Engineer, Medium and Minor Irrigation Department, Kamareddy Division, Nizamabad District from service, after fully and carefully examining the material placed before them in respect of the said allegations and having regard to the circumstances of the case, consider that the said Sri Racha Narsaiah, Assistant Engineer, Office of the Executive Engineer, Medium and Minor Irrigation Department, Kamareddy Division, Nizamabad District should be prosecuted in a competent court of law for the aforesaid offences;

6. Now, therefore in exercise of the powers conferred under clause (b) of sub section (1) of section 19 of the Prevention of Corruption Act, 1988 (Central Act 49 of 1988), the Government of Andhra Pradesh hereby accord sanction for prosecution of the said Racha Narsaiah, Assistant Engineer, Office of the Executive Engineer, Medium and Minor Irrigation Department, Kamareddy Division, Nizamabad District for the offences punishable under section 7 and sub section (2) of section 13 read with clause (d) of sub section (1) of section 13 of the Prevention of Corruption Act, 1988 and for any other cognate offences punishable under the Prevention of Corruption Act, 1988 (Central Act 49 of 1988) and for any other

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cognate offences punishable under any provisions of law for the time being in force in respect of the above said acts and also for taking cognizance of the said offence by the court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

(S.P.TUCKER)
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director General,
Anti Corruption Bureau,
Andhra Pradesh, Hyderabad.
Copy to:
The Law (B) Dept.

//FORWARDED BY ORDER//

SECTION OFFICER